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17 JERRY R. JOLLY, Director
18 California Department of Alcoholic Beverage Control

19 **IN THE UNITED STATES DISTRICT COURT**
20 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
21 **SAN JOSE DIVISION**

22 KNIGHTSBRIDGE WINE SHOPPE, LTD., et al.

23 Plaintiffs,

24 v.

25 JERRY R. JOLLY, in his capacity as Director
26 of the California Department of Alcoholic
27 Beverage Control,

28 Defendant.

Case No.: 5:06-CV-02890-JF

**STIPULATION AND
[PROPOSED ORDER]
RE CONTINUANCE OF
MOTION HEARING DATE**

Date: October 6, 2006
Time: 9:00 a.m.
Ctrm: 3
The Honorable Jeremy Fogel

29 By and through their respective attorneys of record, plaintiffs Knightsbridge Wine Shoppe,
30 Ltd., et al. and defendant Jerry R. Jolly, in his capacity as Director of the Department of Alcoholic
31 Beverage Control, hereby stipulate and agree as follows:

32 1. The motion hearing date for this case shall be continued from October 6, 2006 at 9:00 a.m.
33 to October 20, 2006, at 9:00 a.m.; and

34 2. Motions and supporting papers, oppositions, and replies shall be served and filed not less
35 than 35, 21, and 14 days, respectively, preceding this new hearing date (see Civil L. R. 7).

GOOD CAUSE exists, as follows, for approval of one or the other of the alternative scheduling changes sought pursuant to this stipulation:

1. The Court set this case for motion hearing on October 6, 2006 at 9:00 a.m. at the case management conference held on July 14, 2006.

2. The instant stipulation to reschedule the motion hearing date to October 20, 2006 is sought in order to accommodate scheduling conflicts faced by plaintiff's lead litigation counsel in a manner that will not prejudice defendant.

3. Approval of the proposed change to the current motion schedule will not unduly delay the resolution of this action.

Dated: August 15, 2006

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James F. Basile
James Shannon
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Ryan M. Christian
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By: /s/ Tracy K. Genesen
TRACY K. GENESEN

Attorneys for Plaintiffs

Dated: August 15, 2006

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By: /s/ Marjorie E. Cox
MARJORIE E. COX
Deputy Attorney General

Attorneys for Defendant

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: August 18, 2006


HONORABLE JEREMY FOGEL